

ATTN Shannon Harbo
H-000086

Subj: RE: Maryland Square/AI Phillips
Date: 6/23/2004 11:33:29 AM Pacific Daylight Time
From: mstebbins@tzllp.com
To: RANA0527@aol.com

Dear Ms. Goodman:

The access my client, AI Phillips The Cleaner, Inc. ("APTC"), requires is not going to save it any money whatsoever. It is merely going to allow APTC/URS to continue the work that was begun by the Kushner Trust/Converse and to comply with the mandate of the Nevada Dept. of Environmental Protection ("NDEP"). Whatever representation was made by Mr. Kushner and/or Converse and/or any other Kushner Trust representative did not come from anyone associated with my client. Further, my client is not the new owner of the old Maryland Square Shopping Center property. It is an ex-tenant that was sued by the old owner, the Kushner Trust. APTC has agreed to take over the assessment and remediation in connection with a settlement of that lawsuit. The new owner of the property adjacent to the Gee parcel is the Clark County School District which has required the old owner to make sure that the property is cleaned up, just like NDEP has now required that everyone cooperate in order to make that happen.

As with the prior access agreement you executed, APTC/URS will fully indemnify and hold the Gee Trust harmless for any potential claims or liabilities associated with the activities to be conducted on the Gee property. But neither APTC – nor URS, whom APTC is paying to do this work – have any intention of paying any form of compensation to the Gee Trust for the right of access. It is simply not part of the relevant equation; not this time, not any time. Furthermore, we would expect that the Gee Trust would like to know whether and to what extent its property is contaminated, because if it is, that will significantly impact the Gee Trust's ability to alienate or make different uses of the property in the future. Please understand that NDEP is monitoring the situation closely and, if necessary, we will notify them of the Gee Trust's apparent recalcitrance in giving APTC access to continue the work already begun.

Please let me know what your position is at your very earliest convenience.

Michael W. Stebbins
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From: RANA0527@aol.com [mailto:RANA0527@aol.com]
Sent: Wednesday, June 23, 2004 10:55 AM
To: mstebbins@tzllp.com
Subject: Re: Maryland Square/AI Phillips

Dear Mr. Stebbins:

The last assessment was presented to us as a "one time thing" and the O.K. came from Mr. Gee who passed away last year. He and Mr. Kushner had been acquainted many, many years and I think that is why the subject of payment never came into it. Mrs. Gee feels that, by granting access to her property the current owners of Maryland Square will save a great deal and she does not feel it is out of line to

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sign an agreement with some small form of compensation is unreasonable. Anyway you look at it, any work done is going to impede client traffic to some extent regardless of how briefly the crew is working there especially if these is, as it seems, an ongoing condition.

Sincerely,
Rana Goodman
Gee Family Trust

- property adjacent to N of Maryland Square
3585 S. Maryland ~~St~~ Pkwy

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